

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: MAY 20, 2009**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: VAC-33722 - APPLICANT/OWNER: CLARK COUNTY SCHOOL DISTRICT**

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**\*\* CONDITIONS \*\***

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

1. The limits of this Petition of Vacation shall be the westerly 15 feet of the 20-foot wide BLM Right-of-Way Grant Easement generally located along the western edge of Egan Crest Drive, between Farm Road and Severence Lane.
2. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.
3. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, the conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
4. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request to Vacate a 15-foot wide portion of a 25-foot wide Bureau of Land Management Grant Easement generally located west of the Egan Crest Drive alignment and north of Severence Lane. The Vacation of these easements will facilitate the development of an approved elementary school (SDR-30276). As this Bureau of Land Management Grant Easement is no longer needed in its current configuration, staff recommends approval of this request.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
02/05/03	The City Council approved an annexation (A-0035-02) of over 1,056 acres in the area bounded by Hualapai Way to the east, Grand Teton Drive to the north, Puli Road to the west and Centennial Parkway and the Beltway alignment to the south, including the subject sites of this Rezoning request. The Planning Commission and staff recommended approval of this request. The effective date of this annexation was 02/14/03.
03/19/03	The City Council approved a Rezoning (ZON-1520) from U (Undeveloped) zone [PCD (Planned Community Development) General Plan designation] to PD (Planned Development) zone on approximately 317.5 acres covering 68 separate parcels in the Cliff's Edge area, and approved the related Cliff's Edge Master Development Plan to regulate development and the provision of infrastructure in the area. The Planning Commission and staff recommended approval of this request.
07/16/03	The City Council approved a Rezoning (ZON-2184) from U (Undeveloped) zone [PCD (Planned Community Development) General Plan designation] to PD (Planned Development) zone on approximately 704 acres covering 21 separate parcels in the Cliff's Edge area, and approved text modifications to the related Cliff's Edge Master Development Plan to address conditions of approval of Rezoning (ZON-1520). The Planning Commission and staff recommended approval of this request.
11/20/03	A request for a Minor Modification to the Cliff's Edge Master Development Plan (MOD-3189) allowing reduced street widths under certain conditions in limited portions of the Plan area was administratively approved by the Planning and Development Department.

02/18/04	The Cliff's Edge Development Agreement (DIR-3451) was introduced to the City Council at this time. It was approved in ordinance form on 03/17/04. The Planning Commission and staff recommended approval. It was at this time that the City Council also approved a request for a Rezoning (ZON-3241) from U (Undeveloped) zone [PCD (Planned Community Development) General Plan designation] to PD (Planned Development) zone on approximately 90 acres generally located between Grand Teton Drive, Centennial Parkway, Hualapai Way and the Corporate City Limits. The Planning Commission and staff recommended approval of this request.
05/05/04	The City Council approved a request for a Major Modification to the Cliff's Edge Master Development Plan (MOD-2955) to change land use designations from VC (Village Commercial) to ML (Medium-Low Density Residential) and M (Medium Density Residential); from M (Medium Density Residential) to RSL (Residential Small Lot); and from ML (Medium-Low Density Residential) to PF (Public Facilities); to modify Section 6.2.3 regarding retaining walls; and to modify Table 1 (Section 2.2) to reflect changes to the land use categories on 40 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road. The Planning Commission recommended approval of this request.
05/27/04	A request for a Minor Modification to the Cliff's Edge Master Development Plan and Design Guidelines (MOD-4237) to include an exhibit depicting cross sections for private interior residential streets was administratively approved by the Planning and Development Department.
06/16/04	The City Council approved an amendment to the Master Plan of Streets and Highways (MSH-4197) to add major roads within the Cliff's Edge Master Development Plan area, generally located between Grand Teton Drive and Clark County 215, and between Puli Road and Hualapai Way. The preparation and submission of this request was a condition of approval of the Cliff's Edge parent Tentative Map, as approved by the Planning Commission on 03/11/04.
08/03/05	The City Council approved a request for a Major Modification to the Cliff's Edge Master Development Plan (MOD-6279) to change land use designations from ML (Medium-Low Density Residential) to L (Low Density Residential) and RSL (Residential Small Lot), from L (Low Density Residential) to ML (Medium-Low Density Residential), from RSL (Residential Small Lot) to ML (Medium-Low Density Residential) and to modify the following sections of the Master Development Plan: Sections 2.2, 2.3.5, 2.3.6 and 2.3.7; to modify or add to the Design Guidelines as follows: Sections 3.1.1, 3.2.3B, 5.10, 5.10.1, 6.2.1, 6.2.2, 6.2.3, 7 and Exhibits 2, 7a, 7b, 8a, 14a, 14b, 14c, 15 and 17 on 1,156 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road. The Planning Commission and staff recommended approval of this request.

11/16/05	The City Council approved a request for a Major Modification to the Cliff's Edge Master Development Plan and Design Guidelines (MOD-9174) to establish standards for rear loaded residential small lot housing products and to add section 3.2.5b to the Design Guidelines on 1,156 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli. The Planning Commission and staff recommended approval of this request.
03/13/06	The Planning and Development Department administratively approved a request for a Minor Modification to the Cliff's Edge Master Development Plan and Design Guidelines (MOD-10809) to revise and clarify Section 6 (Entry and Wall Guidelines) of the Cliff's Edge Master Development Plan and Guidelines.
02/15/06	The City Council approved a request for a Major Modification to the Cliff's Edge Master Development Plan and Design Guidelines (MOD-10531) to change land use designations from M (Medium Residential) to RSL (Residential Small Lot), to modify Section 2.2 and the accompanying exhibit of the Master Development Plan and to modify Section 2.1, Exhibit 2-4 of the Design Guidelines to reflect changes to the land use categories on two separate parcels (Pod 113 – located on 17.1 acres adjacent to the southwest corner of Farm Road and Hualapai Way and a portion of Pod 308 – located on 9.12 acres adjacent to the northeast corner of Centennial Parkway and Shaumber Road). The Planning Commission and staff recommended approval of this request.
04/04/07	The City Council approved a request for a Major Modification to the Cliff's Edge Master Development Plan and Design Guidelines (MOD-19114) to clarify certain setback, landscape, design, wall, architectural projection separation and balcony separation standards, to allow three-story single family dwellings with a maximum height of 38 feet and to add a sign standard section. The Planning Commission and staff recommended approval of this request.
09/19/07	The City Council approved a request for a Major Modification to the Cliff's Edge Master Development Plan and Design Guidelines (MOD-22968) to change the land use designation from RSL (Residential Small Lot) to M (Medium Density), to modify Section 2.2 and the accompanying Table 1 of the Master Development Plan and to modify Section 2, Exhibit 2 of the Design Guidelines to reflect changes to the land use categories on a parcel, noted as a portion of Pod 308 and located on 9.12 acres at the northeast corner of Centennial Parkway and Shaumber Road. The Planning Commission and staff recommended approval of this request.

11/06/08	The Planning Commission approved a Request for a Site Development Plan Review (SDR-30276) for the construction of a new elementary school with a Waiver of the Cliff's Edge Development Standards to allow chain link fencing along the perimeter on 15.60 acres at the northwest corner of Egan Crest Drive and Severence Lane. Staff recommended approval of this request.
04/23/09	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #12/dc).
<b>Related Building Permits/Business Licenses</b>	
11/17/08	A building permit (#127155) was issued for a temporary construction trailer at 7451 Egan Crest Drive. The permit is currently active.
<b>Pre-Application Meeting</b>	
A pre-application meeting is not required for a Vacation application.	
<b>Neighborhood Meeting</b>	
A neighborhood meeting was not held, nor was one required.	

<b>Field Check</b>	
03/19/09	A field check was conducted by staff at the subject property. The site was noted as an elementary school currently under construction, nearing completion.

<b>Details of Application Request</b>	
<b>Site Area</b>	
Gross Acres	15.60

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Elementary School (Under Construction)	PCD (Planned Community Development)	PD (Planned Development) Zone [PF (Public Facilities) Cliff's Edge Land Use Designation]
North	Undeveloped	PCD (Planned Community Development)	PD (Planned Development) Zone [PF (Public Facilities) Cliff's Edge Land Use Designation]
South	Single-Family Residences	PCD (Planned Community Development)	PD (Planned Development) Zone [ML (Medium Low Density Residential) Cliff's Edge Land Use Designation]

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East	Single-Family Residences /Vacant Single-Family Residential Lots	PCD (Planned Community Development)	PD (Planned Development) Zone [L (Low Density Residential) Cliff's Edge Land Use Designation]
West	Undeveloped	PCD (Planned Community Development)	PD (Planned Development) Zone [PF (Public Facilities) Cliff's Edge Land Use Designation]

<i><b>Special Districts/Zones</b></i>	<i><b>Yes</b></i>	<i><b>No</b></i>	<i><b>Compliance</b></i>
<b>Special Area Plan</b>			
Cliff's Edge (Providence)	X		N*
PD (Planned Development) District	X		Y
<i><b>Special Districts/Zones</b></i>	<i><b>Yes</b></i>	<i><b>No</b></i>	<i><b>Compliance</b></i>
<b>Special Purpose and Overlay Districts</b>			
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

\* The subject property lies within the Cliff's Edge Special Planning Area and is subject to the Cliff's Edge Master Development Plan and Design Guidelines. Pursuant to the Cliff's Edge Development Agreement, an approval letter for the subject Vacation from the Cliff's Edge Design Review Committee is required. The applicant and the Cliff's Edge Design Review Committee have been working together to resolve irrigation issues surrounding the existing landscaping, and have not given final approval to this Vacation at the time this report has been published. Once an approval letter from the Cliff's Edge Design Review Committee is supplied, it will be added to the Vacation (VAC-33722) file.

## LEGAL DESCRIPTION

A request has been submitted by the Clark County School District to Vacate a Bureau of Land Management Grant Easement generally located at the northwest corner of Severence Lane and Egan Crest Drive.

The above property is legally described as:

A 15-foot portion of a 25-foot wide right-of-way located along Egan Crest Drive. Said property being a portion of the southeast quarter (SE¼) of the northwest quarter (NW¼) of Section 13, Township 19 South, Range 59 East, M.D.M. City of Las Vegas, Clark County, Nevada.

## **ANALYSIS**

- **Planning Discussion**

This is a request to Vacate a 15-foot wide portion of a 25-foot wide Bureau of Land Management Grant Easement generally located west of the Egan Crest Drive alignment and north of Severence Lane. The Vacation of these easements will facilitate the development of an approved elementary school (SDR-30276). As this Bureau of Land Management Grant Easement is no longer needed in its current configuration, staff recommends approval of this request.

- **Public Works Discussion**

The Public Works Department has no objection to the vacation application request to vacate portions of the Bureau of Land Management Grant Easement generally located along the western edge of Egan Crest Drive, between Farm Road and Severence Lane.

**ASSEMBLY DISTRICT**      13

**SENATE DISTRICT**      19

**NOTICES MAILED**      8 by City Clerk

**APPROVALS**      0

**PROTESTS**      0